IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

R.S.A. No. 1563 of 2005
Date of decision: 24.9.2007

Azad and others **...Appellants**

Versus

Mange and others **...Respondents**

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr. Manjeet Singh, Advocate for the appellant.

Mr. Kulvir Narwal, Advocate for the respondents

****

RAJESH BINDAL, J.

The plaintiffs are in second appeal before this Court against the concurrent findings of fact by both the Courts below dismissing the suit for permanent injunction filed by the appellants/plaintiffs.

Much facts are not required to be mentioned as both the Courts below found that in earlier suit filed by the plaintiffs against the respondents/defendants, they had failed. Not only this even in a suit filed by the respondents/defendants against the judgment and decree passed in their favour, the present appellants/plaintiffs had failed in appeal also.

Once the issue sought to be raised in the present proceedings have already been considered by the Courts below in earlier litigation between the parties, which have already attained finality, no occasion arises for the plaintiffs/appellants for raising the same issue again and again.

Accordingly, I do not find any merit in the present appeal and the same is dismissed.

September 24, 2007 **(Rajesh Bindal)**
Pka **Judge**